

Ramakrishna Reddy and anr. Vs. Official Receiver and anr.

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SooperKanoon Citation : sooperkanoon.com/810191

Court : Chennai

Decided On : Nov-01-1937

Reported in : AIR1938Mad461

Appellant : Ramakrishna Reddy and anr.

Respondent : Official Receiver and anr.

Judgement :

1. The provisions of Section 75(3), Provincial Insolvency Act clearly show that the order of the District Judge of Bellary dated 28th September 1934 and made in I. A. No. 409 of 1934 in I.P. No. 4 of 1929 is appeal able with the leave of the District Court or of the High Court. We are therefore unable to concur in the view of our learned brother Burn J. that the order is not appeal able at all. Further the circumstances of the case clearly demand that leave to appeal should be given, there having been no decision on the merits. The appeal is therefore allowed and leave to appeal from the order of the District Court, Bellary, granted. There will be no order as to costs in this appeal.